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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,953	11/16/2001	Yoshitaka Itoh	039504.99	7957

25944 7590 10/07/2002

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EXAMINER

SPECTOR, DAVID N

ART UNIT	PAPER NUMBER
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2873

DATE MAILED: 10/07/2002

#9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/987,953

Applicant(s)

ITOH ET AL.

Examiner

David N. Spector

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-45 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 19 September 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. PCT/JP97/02189.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: DETAILED ACTION

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DETAILED ACTION

Reissue Oath/Declaration

1. The reissue oath/declaration filed with this application is approved/accepted as originally filed, in light of the arguments filed by applicant on 9/19/2002.

Substitute Specification

2. The substitute specification filed 9/19/200 is approved and entered in the instant application.

Drawing Correction

3. The proposed drawing corrections, filed on 9/19/2002, are approved. Corrected drawings are required in reply to the Office action to avoid abandonment of the application. The correction to the drawings will not be held in abeyance.

Ex parte Quayle Action

4. This application is in condition for allowance except for the following formal matters: The original patent, or a statement as to loss or inaccessibility of the original patent, must be received before this reissue application can be allowed. See 37 CFR 1.178.

5. Prosecution on the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Allowable Subject Matter

6. Claims 1-45 are allowed in light of applicant's arguments/amendments. The following is a statement of reasons for the indication of allowable subject matter: Applicant's independent claims are directed to a polarizing conversion device (claim 1) with particular features for controlling unwanted stray light, a polarizing illumination device that includes the instant polarizing conversion device (claim 8); a display apparatus (claim 18) that includes the polarizing illumination device and a modulating device; a projector (claim 19) that includes the polarizing illumination device, at least one modulating device, and a projection optical system; the method embodied in the instant polarizing conversion device (claim 22); and to an alternative representation of the instant polarization conversion device in a means-plus-function format (claim 27). Each of these independent claims includes, and is distinguished over the prior art by, the extant features/limitations of the polarizing conversion device in claim 1. It includes: a polarizing separation element having a light-incident side, a light-emitting side, and a polarizing separation plane that separates said **P**-state and **S**-state polarized beams by transmitting one of said **P**-state and **S**-state polarized beams there-through toward the light-emitting side of the polarizing separation element, and reflecting another of the **P**-state and **S**-state polarized beams. A reflecting plane is disposed substantially parallel to said polarizing separation plane reflects said another of the **P**-state and **S**-state polarized beams reflected by said polarizing separation plane toward said light-emitting side of the polarization element. A selective phase plate aligns a polarization direction of one of said **P**-state and **S**-state polarized beams separated by the aforementioned polarizing separation element with a polarization direction of another of the **P**-state and **S**-

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state polarized beams, and a light-shielding element which prevents light from directly entering the reflecting plane interposed at the light incident side of said polarizing separation element.

Other Remarks/Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David N. Spector whose telephone number is (703) 305-1521. The examiner can normally be reached from 6:30 AM to 3:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps, can be reached on (703) 308-4883. The fax number for the organization where this application is assigned is (703) 308-7722.

October 4, 2002

A handwritten signature in black ink, appearing to read 'D. N. Spector', with a long horizontal line extending to the right.

David N. Spector
Patent Examiner